



United States Environmental Protection Agency
Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912

URGENT MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

MAY 04 2016

Mr. John P. Collins, Director
United States Veterans Affairs
Central Western Massachusetts Healthcare System
421 North Maine Street
Northampton, MA 01060

RE: NOTICE OF VIOLATION of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the Massachusetts General Law, Chapter 21C, Sections 4 and 6

Dear Mr. Collins:

On September 25-26, 2014, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection. The purpose of this inspection was to determine the compliance of the United States Veterans Affairs Central Western Massachusetts Healthcare System ("VA Medical Center" or the "Facility"), EPA ID No. MA5360010388, with the Commonwealth of Massachusetts regulations 310 CMR 30.000, and the federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The Commonwealth of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of 310 CMR 30.000 and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The violations are set forth below:

1. Failure of a generator of waste to determine if that waste is a hazardous waste, as required by 310 CMR 30.351(10)(b), which references 310 CMR 30.302.

Specifically in the oxygen cylinder storage area near Building 16 Warehouse, Building T-7 Paint Shop, Building 12 Carpentry Shop, and Building 9 Horticultural Therapy.

2. Failure to maintain an up-to-date emergency contact list at the Facility's two less-than 180-day hazardous waste storage areas (referred to as "main accumulation areas" (MAAs) by the Facility), as required by 310 CMR 30.351(9)(c)(6)(a).

Specifically, the primary emergency contact and associated telephone number were still given for Mr. Stephen Quigley.

3. Failure to maintain a satellite accumulation areas (SAA) at or near the point of generation and under the control of the operator of the process generating the waste, as required by 310 CMR 30.351(4)(a) and (b).

Specifically, the waste generated in Building 1, 2nd floor, Microbiology Laboratory was being accumulated into the SAA container established for the Phlebotomy Laboratory, approximately 150 feet away from the point of generation.

4. Failure to have copies of final destination facility signed uniform hazardous waste manifests, as required by 310 CMR 30.331.

Specifically, the Facility files were missing two final destination facility signed manifests, 006036976FLE (issued 4/7/14), and 006042842FLE (issued 5/1/14).

5. Failure to have maintain copies of land disposal restriction (LDR) notifications for manifested hazardous wastes, as required by 310 CMR 30.750.

Specifically, LDR notifications were not on file for the two manifests cited in item 4.

6. Failure to properly label universal waste batteries, as required by 310 CMR 30.1034(1)(d).

Specifically, EPA observed five unlabeled waste batteries in a cardboard box located in Building 12 Carpentry Shop.

7. Failure to date universal waste batteries, as required by 310 CMR 30.1034(6)(c).

Specifically, the same five batteries described in item 6 were undated.

Immediately upon receipt of this NOTICE:

VA Medical Center must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.

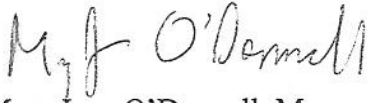
Within (30) thirty calendar days of receipt of this NOTICE, submit a written description, with supporting documentation, of the actions taken to address the violations described above.

Submit the information to:

Susann D. Nachmann, Environmental Engineer
U.S. Environmental Protection Agency
Office of Environmental Stewardship (OES05-4)
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the Facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Susann D. Nachmann, of my staff, at (617) 918-1871.

Sincerely,

A handwritten signature in cursive script, reading "Mary Jane O'Donnell".

Mary Jane O'Donnell, Manager
RCRA, EPCRA & Federal Programs Unit

cc: Saadi Motamedi, Mass DEP
Anne H. Fenn, EPA
Susann D. Nachmann, EPA